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DIRECT DIAL:

James R. Miner (Reg. No. 40,444)
703-714-7449

MESSAGE

Attached please find the following regarding U.S. Patent Application No. 09/760,296:

1. Response to Restriction Requirement (3 pages); and
2. Certificate of Transmission, 1 page.

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OPERATOR

DATE:

July 29, 2004

TIME:

CLIENT/MATTER NAME:

Genworth Financial, Inc.

CLIENT/MATTER NO.:

52493.000112

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52493.000112 FAIRFAX 237313v1

Attorney Docket No. 52493.000112
Application Serial No. 09/760,296

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52493.000112 FAIRFAX 237312v1

Application No.: 09/760,296
Attorney Docket No. 52493.000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

Tony HASHEM, et al.

Application No.: 09/760,296

Filed: January 16, 2001

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Group Art Unit: 2157

Examiner: Saleh NAJJAR

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For: "SYSTEM AND PROCESS FOR ROUTING INFORMATION IN A DATA
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 29, 2004, Applicant hereby traverses the
restriction requirement and requests reconsideration and withdrawal of such requirement.

Claims 1-40 are presently pending in the application.

A. SUMMARY OF RESTRICTION REQUIREMENT

The Office Action asserts that restriction to one of the following inventions is required
under 35 U.S.C. §121:

Invention I: Claims 1-16, 28-40; and

Invention II: Claims 17-27.

The Office Action asserts that inventions I and II are related as combination and
subcombination, and that inventions in this relationship are distinct if it can be shown that (1) the
combination as claimed does not require the particulars of the subcombination as claimed for
patentability, and (2) that the subcombination has utility by itself or in other combinations
(MPEP § 806.05(c)). The Office Action asserts that in the instant case, the combination as

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Application No.: 09/760,296
Attorney Docket No. 52493.000112

claimed does not require the particulars of the subcombination as claimed because invention II is directed toward network computer monitoring. The Office Action further asserts that the subcombination has separate utility such as flow data control transmission in a network and controlling data admission to the network.

B. ELECTION

In the event that the election requirement is not withdrawn, Applicant hereby provisionally elects Group I (Claims 1-16 and 28-40) with traverse. Accordingly, in view of the restriction requirement, Applicant requests examination of claims 1-16 and 28-40.

C. TRAVERSAL

Applicant respectfully traverses the restriction requirement. It is respectfully submitted that, due to the related subject matter of the claims, a complete and thorough search of the claims identified above as belonging to Group I would involve a search of the areas relevant to the non-elected claims. Accordingly, Applicant submits that the burden on the Examiner does not warrant requiring Applicant to pay duplicative PTO fees and perform duplicative prosecution to obtain patent protection for the present invention.

Withdrawal of the restriction requirement is respectfully requested.

D. CONCLUSION

Applicant believes that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

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Application No.: 09/760,296
Attorney Docket No. 52493.000112

The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

Date: July 29, 2004

By:


James R. Miner
Registration No. 40,444

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